

The claims in the application are claims 3 to 6 and 8 to 10, all other claims having been cancelled.

Applicants' attorney wishes to thank the Examiner in charge of the application for the courtesies extended to him at the interview with the Examiner and his supervisor on March 26, 2003 at which time, the last office action was discussed.

All of the claims were rejected as being indefinite and as it was not clear as to what was encompassed by "arterial thrombotic complications associated with atherosclerosis".

Applicants respectfully traverse this ground of rejection since the claims have been amended in accordance with the discussion at the interview to be directed to a method of preventing arterial complications which is fully supported on page 6 of the application as filed and by the test data set forth in the application with the four preferred products. It is believed that the claims are now clearly supported by the specification and withdrawal of this ground of rejection is requested.

With respect to the rejection of all the claims as being anticipated by the Agouridas et al patent, it is deemed that the claims now clearly point out the difference between the Agouridas et al patent and the present invention. The present invention is directed to a method of preventing arterial complications in a patient comprising selecting

a patient with arterial complications and then administering to the said patient an effective amount of a ketolide or a salt thereof sufficient to prevent arterial complications in the patient. The Agouridas et al patent is directed to a method of treating bacterial infections and this is an entirely different type of patient. Therefore, Agouridas et al does not anticipate or render obvious the application since the patient being treated is entirely different and the activity is due to the anti-platelet aggregating activity as clearly demonstrated in the application as filed. Therefore, withdrawal of this ground of rejection is requested.

In view of the amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
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CAM:ds
Enclosures

MARKED UP VERSION OF CLAIM 8 SHOWING CHANGES MADE

Claim 8 (four times amended) A method of preventing the arterial ~~thrombotic~~ complications ~~associated with atherosclerosis in a patient~~ warm-blooded animals comprising selecting a patient with arterial complications and administering to ~~warm-blooded animals in need thereof~~ said patient an effective amount of a ketolide or its non-toxic, pharmaceutically acceptable acid addition salts sufficient to prevent arterial ~~thrombotic complications associated with atherosclerosis in~~ said patient ~~warm-blooded~~ animals.